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**FLORENCE SHAPIRO**  
Texas State Senator  
District 8

President Pro Tempore  
May 16, 2005

## COMMITTEES:

Education, Chair  
Finance  
Administration  
Transportation and  
Homeland Security

The Honorable Chairman Arlen Specter  
Committee on the Judiciary  
United States Senate  
224 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chairman Specter:

I, along with my colleagues in the Texas Senate and Texas House of Representatives, am writing to express my full and unconditional support for Justice Priscilla Owen's nomination to the U.S. Court of Appeals for the Fifth Circuit. As the author of the Texas Parental Notification Act (SB 30/HB 623), I followed closely the Texas State Supreme Court rulings regarding that statute. As such, we are disturbed by the recent attacks on Justice Owen's review of the Texas Parental Notification Act. Justice Owen's opponents have characterized her as an activist member of the bench, and nothing could be further from the truth.

To the contrary, her opinions interpreting the Texas Parental Notification Act serve as prime examples of her judicial restraint. Although some might try to hold up the Texas Parental Notification Act as a litmus test on abortion, they simply cannot make the case. The Act is not about whether a minor is able to have an abortion or must receive parental consent, but whether a parent should be notified. The Act recognizes that a girl may have an abortion and does not question whether the Constitution guarantees that right.

Throughout the series of cases, Justice Owen's interpretation of legislative intent were based on careful reading of the new statute and the governing U.S. Supreme Court precedent. For example, Justice Owen's opinion that a minor should "indicate to the court that she is aware of and has considered that there are philosophic, social, moral, and religious arguments that can be brought to bear when considering abortion." This opinion is consistent with prior U.S. Supreme Court precedent stating: "The waiting period, for example, may provide the parent or parents of a pregnant young woman the opportunity to consult with her in private, and to discuss the consequences of her decision in the context of the values and moral or religious principles of their family" (*Planned Parenthood v. Casey*).

In short, Justice Owen's academic and professional qualifications are beyond question. We strongly urge Senators to vote positively on her nomination.

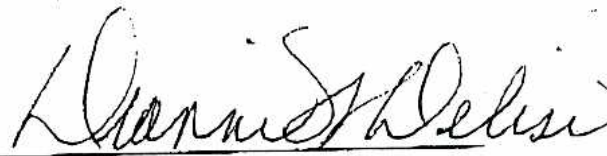
Very truly yours,

A handwritten signature in cursive script that reads "Florence Shapiro".  
Florence Shapiro

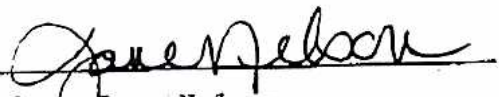
cc: The Honorable Patrick Leahy  
United States Senate



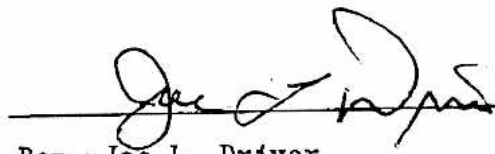
Sen. Chris Harris



Rep. Dianne White Delisi



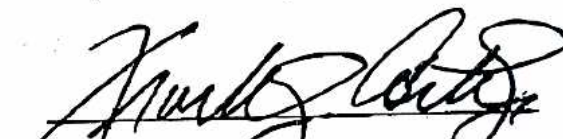
Sen. Jane Nelson



Rep. Joe L. Driver



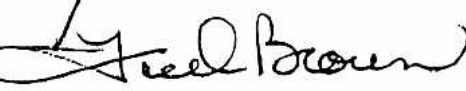
Rep. Brian McCall



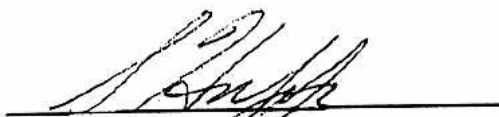
Rep. Frank J. Corte, Jr.



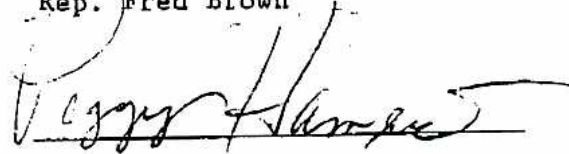
Rep. Harvey Hilderbran



Rep. Fred Brown



Rep. Suzanna Gratià Hupp



Rep. Peggy Hamric



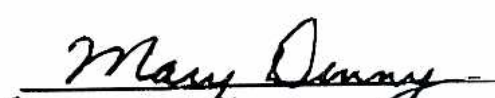
Rep. Betty Brown



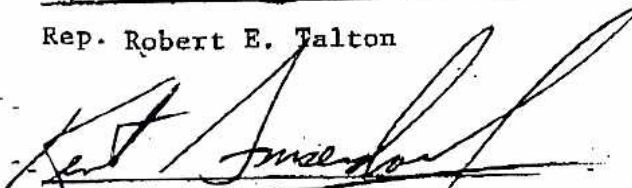
Rep. Joe Nixon



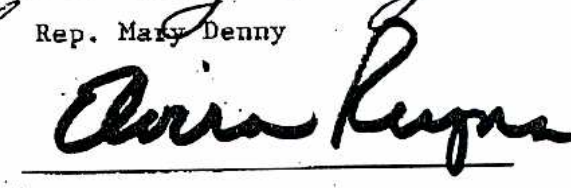
Rep. Robert E. Talton



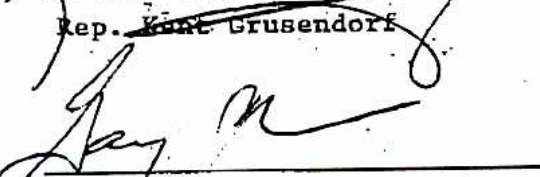
Rep. Mary Denny



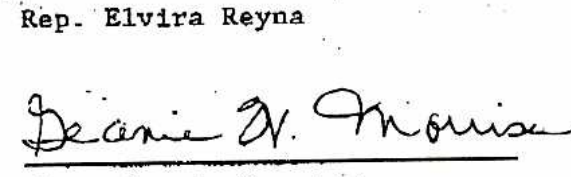
Rep. Kent Grusendorf



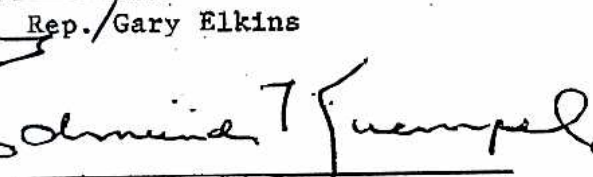
Rep. Elvira Reyna



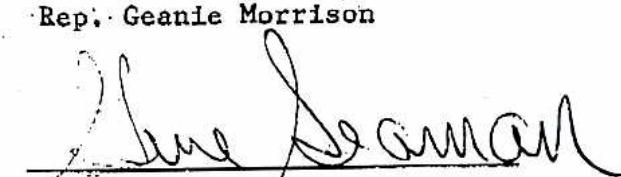
Rep. Gary Elkins



Rep. Geanie Morrison



Rep. Edmund Kuempel



Rep. Eugene Seaman



Rep. Joe Crabb



Rep. Anna Mowery